


IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI

In re:	§	Case No. 11-46399-705
	§	
LATOYA L. STEWARD,	§	Chapter 7
	§	
Debtor.	§	[Docket Nos. 56 & 58]

ORDER DENYING MOTIONS TO QUASH

Currently pending before this Court is the contested matter raised by the Debtor's Motion to Disgorge Fees, which the Debtor filed against her main case bankruptcy attorney (the "Respondent"). On July 20, 2013, the Respondent filed a Motion to Quash the Debtor's Request for Production [Docket No. 56] and a Motion to Quash the Debtor's Request for Interrogatories [Docket No. 58] (together, the "Motions to Quash"), arguing that the requests for discovery were improper because the matter is a contested matter, not an adversary proceeding. The Motions to Quash are frivolous. The law is clear: contested matters are governed by Federal Rule of Bankruptcy Procedure 9014, and subsection (c) of that Rule expressly makes Federal Rule of Bankruptcy Procedure 7026 and its discovery provisions applicable to contested matters, with only a few limited exceptions. It is well-established law that the scope of discovery in contested matters is virtually identical to the scope of discovery in any federal civil proceeding. The Court **ORDERS** that the Motions to Quash be **DENIED**.

DATED: July 31, 2013
St. Louis, Missouri 63102
mtc


CHARLES E. RENDLEN, III
U.S. Bankruptcy Judge

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